

## **CHAPTER 58-07**

### **TOWNSHIP CLERK**

**58-07-01. Compensation of clerk.** The township clerk is entitled to receive as compensation for services twenty dollars a day for each day necessarily devoted to the work of the clerk's office not exceeding six hundred dollars in a calendar year. Additional compensation over six hundred dollars may be provided for reimbursement of expenses and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service for each mile [1.61 kilometers] necessarily traveled in the performance of the clerk's duties. In those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the new office is entitled to receive compensation as township clerk only.

**58-07-02. Clerk may appoint deputy - Deputy to take oath.** The township clerk may appoint a deputy for whose acts the township clerk is responsible. Before a deputy clerk enters upon the duties of the office, the deputy clerk shall take and subscribe the oath required by the Constitution of North Dakota and shall file the same in the office of the clerk of the district court. In those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the new office shall appoint a deputy only after receiving the approval of the board of township supervisors.

**58-07-03. Duties of township clerk.** The township clerk shall perform the following duties:

1. Act as clerk of the board of township supervisors and keep in the township clerk's office a true record of all of its proceedings.
2. File and safely keep all certificates of oaths and bonds required to be kept in the township clerk's office and all other papers required by law to be filed in that office and have and keep custody of the record books and papers of the township when no other provision is made therefor by law.
3. Enter in the minutes of the proceedings of each township meeting each order or direction and every rule and regulation adopted at such meeting.
4. File and preserve all accounts audited by the township board or allowed at a township meeting and enter a statement thereof in the township record books.
5. File the township clerk's bond in the office of the county auditor and the township clerk's oath and the oath of the deputy clerk, if one is appointed, in the office of the clerk of the district court.
6. Preserve and record the annual statement of the treasurer, except that in those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the new office shall file a copy of the annual treasurer's statement with the chairman of the board of township supervisors.
7. Require all legally elected officers who accept the offices to which they are elected to qualify within the time prescribed by law and in accordance with all other provisions thereof.
8. Make a record of all statements of the remittances of any township funds from the county treasurer to the township treasurer as such statements are mailed to the township clerk by the county treasurer, except that in those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the new office shall make a record of all statements of the remittances of any township funds from the county treasurer to the township treasurer and shall file such statements with the chairman of the board of township supervisors.

9. Keep an account of the township funds in the same manner as is required of the township treasurer, except that in those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the office shall keep an account of the township funds and shall report the balance of such funds to the chairman of the board of township supervisors no less frequently than every sixty days.
10. Perform all duties imposed upon the township clerk under the laws of this state relating to the forming of jury panels.

**58-07-04. Penalty for neglect.** If a township clerk willfully neglects or refuses to perform any of the duties required of the township clerk under this chapter, that person is guilty of an infraction.

**58-07-05. Destruction of township records.** After the same have first been offered to the state archivist for preservation as archival resources, the township clerk shall destroy by any suitable means as determined by the board of township supervisors any of the following books, forms, or blanks after the same have become ten years old:

1. Election pollbooks.
2. Election registration books.
3. Petitions of candidates.
4. All election forms, blanks, books, and records of every kind and description except abstracts of votes.
5. Assessment slips.
6. Township board of equalization records.
7. Claims vouchers which have been audited and paid.
8. Certificates of officials' bonds.
9. Insurance policies which have become obsolete.